

1 MICHELLE D. SPENCER, CBN 164696  
2 Law Office of Michelle D. Spencer  
2 55 River Street, Suite 100  
3 Santa Cruz, CA 95060  
3 Tel: 831.458.0502  
4 Fax:831.426.0159

5 Attorney for Enrique Quintero

7 **IN THE UNITED STATES DISTRICT COURT**

8 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**

9 **SAN JOSE DIVISION**

12 UNITED STATES OF AMERICA,  
13 Plaintiff,

) Case Nos. CR11-00550-EJD  
) CR11-00711-EJD

14 V.  
15

17 ENRIQUE QUINTERO,

19 Defendant.

)  
) **STIPULATION AND**  
) ~~PROPOSED~~ **ORDER CONTINUING**  
) **STATUS CONFERENCE AND**  
) **EXCLUDING TIME FROM JUNE 4,**  
) **2012 THROUGH JUNE 25, 2012**

21 Plaintiff United States of America, by and through their counsel Assistant United States  
22 Attorney, Thomas O'Connell, and defendant Enrique Quintero, by and through his attorney Michelle  
23 D. Spencer, hereby stipulate and agree that, subject to the Court's approval, that the status  
24 conferences currently scheduled in the above-entitled cases for June 4, 2012 should be continued to  
25 June 25, 2012 at 1:30 p.m. so that defense counsel can conduct additional investigation and case  
26 preparation.

1           The parties further stipulate that time should be excluded under the Speedy Trial Act from  
2 June 4, 2012 through June 25, 2012 for continuity of counsel and effective preparation.

3           IT IS SO STIPULATED.

4           Date: May 29, 2012

MELINDA HAAG  
United States Attorney

5           Date: May 29, 2012

/S/  
THOMAS O'CONNELL  
Assistant United States Attorney

6           Date: May 29, 2012

/MDS/  
MICHELLE D. SPENCER  
Attorney for Enrique Quintero

12           ~~PROPOSED~~ ORDER

13           Based upon the foregoing stipulation of the parties, and good cause appearing therefor, the  
14 Court finds that failing to exclude the time from June 4, 2012 through June 25, 2012 would  
15 unreasonably deny the defendant continuity of counsel and the reasonable time necessary for effective  
16 preparation, taking into account the exercise of due diligence pursuant to 18 U.S.C. §  
17 3161(h)(7)(B)(iv). The Court further finds that the ends of justice served by excluding the time from  
18 June 4, 2012 through June 25, 2012 from computation under the Speedy Trial Act outweigh the best  
19 interests of the public and the defendant in a speedy trial.

20           Therefore, IT IS HEREBY ORDERED that the time from June 4, 2012 through and including  
21 June 25, 2012 shall be excluded from computation under the Speedy Trial Act.

22           Date: May 30, 2012

  
HON. EDWARD J. DAVILA  
United States District Judge